

REMARKS

Claims 1-9, 11-27, 29-36 and 38 are currently pending in the subject application and are presently under consideration.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1-9, 11-27, 29-36 and 38 Under 35 U.S.C. §102(e)

Claims 1-9, 11-27, 29-36 and 38 stand rejected under 35 U.S.C. §102(e) as being anticipated by Rossomando (U.S. 6,910,204). Withdrawal of this rejection is requested since the reference fails to teach or suggest all aspects of subject claims.

A single prior art reference anticipates a patent claim only if it *expressly or inherently describes each and every limitation* set forth in the patent claim. *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). *The identical invention must be shown in as complete detail as is contained in the ... claim.* *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Applicants' claimed invention relates to systems and methods for specifying and executing temporal order events. To this end, independent claim 1 recites *a constraint component that receives loose temporal constraints associated with a plurality of events and an order component that determines an event order in accordance with the loose temporal constraints and selects an optimal event order based at least in part on execution system information, wherein the event order specifies the execution order of events.* Rossomando neither teaches nor suggests such novel aspects.

Rossomando provides methods and system for creating a software development methodology including creation of focus areas and decomposition of same, to create use cases. The software is developed by hierarchically decomposing a set of general requirements for the software and a set of multiple role participants into a set of use

cases, where each use case covers the usage of the software by a sub-participant having a single role.

At page 3 of the Final Office Action, the Examiner incorrectly asserts that Rossomando substantially teaches *providing loose temporal constraints associated with a plurality of events and an interactive ordering system so that user and system can modify ordering of events at their execution time*. The cited portion of reference provides for having plural roles for a participant, like event scheduler and administrator, corresponding to different aspects of the system. Further, a participant need not have a role for every aspect of the system (Col. 7, lines 42-65). Focus areas are recursively decomposed to an arbitrary number of levels down from the top level focus area, until the focus area at the bottom of the hierarchy has participants each of whom has only one “role” (Col. 7, lines 4-8). A determination is made as to whether each participant in the focus area has only one role. The condition of each participant’s having one role is significant because such a condition may correspond to a business use case (Col. 8, lines 1-5). Hence, Rossomando provides decomposing focus areas recursively until the focus area at bottom of hierarchy have participants *each of whom has only one role and thus creates all business use cases of the software*. The software is developed after identifying all business use cases of the software. Hence, Rossomando provides a technique for *developing a software after identifying it’s all business use cases so that no business use cases is left uncovered*. However, once all business use cases are identified and software has been developed, *modification of events or business use cases* is not possible at the execution time of events or business use cases, and does not contemplate for the *loose temporal constraints associated with a plurality of events that can be modified by the user or system at execution time of events*. According to the present invention, users need not specify exact literal times that an event or task is to be executed. Rather the users need only specify information that they desire. The rest of the information can be inferred by the system. This loose specification of events gives users maximum ability to explore, create variations, and make adjustments.

At page 2 of the Final Office Action, the Examiner again incorrectly asserts that Rossomando substantially teaches *an optimal event order based at least in part on execution system information*. The cited portion of the reference provides for a focus

area being decomposed into two different aspects of the system, one event scheduling aspect and other administrative aspect of the system (Column 5, lines 50-67). Hence, Rossomando only provides for decomposing focus area recursively into different aspects of the system to capture every business use cases of the software. As stated *supra*, Rossomando fails to teach *loose temporal constraints associated with a plurality of events* that can be modified by the user or system at execution time of events. Defining loose temporal constraints with a plurality of events, gives flexibility to modify events by the user or system at execution time of events which facilitates *optimal event order*. Hence, Rossomando fails to teach *an optimal event order based at least in part on execution system information*.

In view of at least the foregoing, it is readily apparent that Rossomando fails to teach or suggest all aspects of the claimed invention. Accordingly, it is respectfully requested that this rejection of independent claims 1, 8, 27 and 29 (and the claims that depend therefrom) should be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP543US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,
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